



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes CITY COUNCIL

R. Steve Tumlin, Mayor
Stuart Fleming, Ward 1
Grif Chalfant, Ward 2
Johnny Walker, Ward 3
G. A. (Andy) Morris, Ward 4
Anthony Coleman, Ward 5
Michelle Cooper Kelly, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, March 11, 2015

7:00 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor

Present: Stuart Fleming, Grif Chalfant, Johnny Walker, G. A. (Andy) Morris, Anthony Coleman, and Philip M. Goldstein

Absent: Michelle Kelly Cooper

Also Present:

William F. Bruton, Jr. City Manager

Douglas R. Haynie, City Attorney

Yvonne Williams, Deputy City Clerk

CALL TO ORDER:

Mayor R. Steve Tumlin called the meeting to order at 7:02 p.m.

INVOCATION:

Council member Coleman called upon Dr. Marva Brewington, Covenant Christian Ministries, to give the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Tumlin asked everyone to remain standing for the Pledge of Allegiance.

PRESENTATIONS:

PROCLAMATIONS:

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:

Mayor Tumlin explained the rules and procedure for individuals desiring to speak under the Scheduled and Unscheduled Appearances.

SCHEDULED APPEARANCES:

20150189 **Red Cross**

The American Red Cross would like to speak to council regarding the work that they do in Marietta.

Presented

20150148 Georgia Symphony Orchestra

Ms. Antiqua Cleggett with the Georgia Symphony Orchestra will speak to council.

Presented

UNSCHEDULED APPEARANCES:

Richard Maher, who lives on Devonwood Trail in the Carriage Oaks subdivision, spoke regarding a request for the West Marietta Community Improvement Group to hold a family friendly event in the parking lot of the Whitlock Package store.

Steve Embler, who lives on Church Street, spoke regarding agenda item 2015095, term limits and staggered terms of office.

Cornelius Green, who lives in Ward 5, spoke regarding the Elizabeth Porter, Lawrence Street Recreation Center and Custer Park.

CONSENT AGENDA:

Consent agenda items are marked by an asterisk (*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

A motion was made by Council member Goldstein, seconded by Council member Coleman, to suspend the rules of order to add an item to the agenda regarding a grant for the YWCA. The motion carried by the following vote:

Vote: 6 – 0 – 0 *Approved*
(See agenda item 20150196)

A motion was made by Council member Goldstein, seconded by Council member Coleman, to add the item regarding a grant for the YMCA to the consent agenda. The motion carried by the following vote:

Vote: 6 – 0 – 0 *Approved*

A motion was made by Council member Chalfant, seconded by Council member Stuart, to suspend the rules of order to add the following property acquisitions to the consent agenda:

167 Hedges Street in exchange for \$755.40

32 North Fairground St. as a donation

10 Kirkpatrick Drive in exchange for \$7,500

242 Whitlock Avenue as a donation

462 Whitlock Avenue in exchange for \$2,433

518 Whitlock Avenue in exchange for \$4,378

The motion carried by the following vote:

Vote: 6 – 0 – 0 *Approved*

(See agenda items 20150214 – 0219)

Pro tem Johnny Walker briefly explained the consent agenda process. City Attorney Doug Haynie noted the following changes to the consent agenda:

-under Minutes: Agenda items 20150183 and 20150184 were added to the consent agenda.

-under Ordinances: Agenda item 20150107 was added to the consent agenda as a Motion to table until the May regular Council.

-under Ordinances: Agenda items 20141336, 20150110, 20150111 and 20141017 were added to the consent agenda.

-under Public Works: agenda item 20141329 was added to the consent agenda.

-under Other Business: agenda item 20150185 was added to the consent agenda.

City Attorney Doug Haynie opened the public hearing for those items on the consent agenda requiring a public hearing. Seeing no one wishing to speak, the public hearing was closed.

A motion was made by Council member Fleming, seconded by Council member Chalfant, to approve the consent agenda as modified. The motion carried by the following vote:

Vote: 6 – 0 – 0 **Approved**

MINUTES:*** 20150183 Regular Meeting - February 11, 2015**

Review and approval of the February 11, 2015 regular meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

*** 20150184 Special Called Meeting - February 25, 2015**

Review and approval of the February 25, 2015 special called meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

MAYOR’S APPOINTMENTS: (for informational purposes only)**CITY COUNCIL APPOINTMENTS:****ORDINANCES:****20141204 Z2014-23 [REZONING] MARIETTA HOUSING AUTHORITY/BROCK BUILT HOMES LLC****Ord 7798**

Z2014-23 [REZONING] MARIETTA HOUSING AUTHORITY/BROCK BUILT HOMES LLC requests rezoning for property located in Land Lot 12310, District 16, Parcels 0050, 0040, 0020, 0030, 0100, 0660, 0740, 0280, 0060, 0860, and 0310, 2nd Section, Marietta, Cobb County, Georgia and being known as 53, 75, 76, & 83 Beavers St; 57 Gunter St, 98, 110, & 114 Howard St; 829, 891, & 895 Washington Ave from RM-12 (Multi Family Residential - 12 units/acre), R-4 (Single Family Residential - 4 units/acre), OI (Office Institutional), and CRC (Community Retail Commercial) to PRD-SF (Planned Residential Development - Single Family). Ward 5.

City Attorney Doug Haynie opened the public hearing and explained the rules of order. Mr. Haynie also swore in those wishing to speak.

Brian Binzer, Development Services Director, presented information regarding the rezoning request for property located at 53, 75, 76, & 83 Beavers St; 57 Gunter St, 98, 110, & 114 Howard St; 829, 891, & 895 Washington Ave from RM-12 (Multi Family Residential - 12 units/acre), R-4 (Single Family Residential - 4 units/acre), OI (Office Institutional), and CRC (Community Retail Commercial) to PRD-SF (Planned Residential Development - Single Family). Mr. Binzer also presented the revised detailed plan and outlined the eight (8) variances that would be needed.

The applicant Adam Brock, owner of Brock Built Homes, requested rezoning for the property in order to develop a new community. The development would consist of 20 townhome units and 79 single family detached units for a total of 99 dwellings. Mr. Brock stated that they would use the existing public streets, being Gunter Street and Adam Circle, as well as, add some additional public streets within the development. Mr. Brock mentioned that he has work with staff to try and resolve concerns previously raised by council.

David Broel owner of the adjacent property, expressed the desire to maintain a 20 foot access easement around his business on Washington Avenue.

Public works director Dan Conn mentioned that the applicant has requested closure of Beaver Street and Gunter Streets. The adjacent property owner would have the opportunity to purchase the abandoned public property.

Seeing no one else wishing to speak, the public hearing was closed.

Discussion was held regarding concerns expressed by the Fire Chief and Public Works Director relating to the width of the streets, private alleys and the turning radius of fire trucks. Both stating that the development does not comply with current City ordinances.

The motion was made by Council member Coleman, seconded by Council member Walker, to approve the rezoning for property at 53, 75, 76, & 83 Beavers St; 57 Gunter St, 98, 110, & 114 Howard St; 829, 891, & 895 Washington Ave from RM-12 (Multi Family Residential - 12 units/acre), R-4 (Single Family Residential - 4 units/acre), OI (Office Institutional), and CRC (Community Retail Commercial) to PRD-SF (Planned Residential Development - Single Family), with the following stipulations:

- 1. The plan titled "Detailed Plan for Marvelle" by Dovetail Civil Designs, Inc., dated March 10, 2015, submitted by Brock Built Homes, LLC shall serve as the approved general plan and detailed plan for the development.*
- 2. Variance to reduce the required right of way for Gunter Street and Adams Circle from 50' to 40.'*
- 3. Variance to reduce the easement width for a private street from 50' to 20' for Private Streets A-K.*
- 4. Variance to reduce the travel-way (primary asphalt or concrete drive) for two way private streets from 20' to a minimum of 14' of paving with 20' of drivable surface.*
- 5. Variance to allow private streets (C, D, E, F, I, J) without a minimum turnaround of 80' roadway diameter and 100' right of way diameter.*
- 6. The developer is required to install "No Parking" signs on all private streets.*
- 7. The abandonment and rezoning of the Beavers Street and Gunter Street (near Washington Avenue) right-of-way will have to be completed prior to beginning construction of the project.*

8. Architectural elevations for the units will be brought back to City Council for approval prior to issuance of any building permits.
9. The applicant will work with the neighboring property owner at 861 Washington Avenue to ensure provision of a 20 foot access easement around the building.
10. Allow for modification of the Landscape/Tree Protection Plan since provision of a 20 foot easement around the building on the property at 861 Washington Avenue may require relocation of some trees proposed on the Landscape/Tree Protection Plan to other locations on the site.

The motion carried by the following vote:

Vote: 5 – 1 – 0 **Approved**
Voting Against: Philip M. Goldstein

20150138

Northcutt Street Speed Tables

Motion to authorize the installation of speed tables on Northcutt Street.

Public Hearing Required

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Public Works Director Dan Conn presented information regarding the request to install speed tables on Northcutt Street and the proposed locations.

Those speaking in favor of the speed tables:

*Bill Galey, who lives on Northcutt Street
Jim Jones, who lives on Northcutt Street
Monica Fanbro, who lives on Northcutt Street
Stephen Dixon, lives on Northcutt Street*

Those speaking in opposition:

*Anita Boser, who lives on Northcutt Street
Christie Roberts, who lives on Northcutt Street*

Further, discussion was held regarding the location of the speed tables as shown on the diagram presented.

A motion was made by Council member Walker, seconded by Council member Goldstein, to authorize the installation of speed table at location #2 as shown on the attachment and a driver speed feedback sign near location #1 on Northcutt Street. The motion carried by the following vote:

Vote: 6 – 0 – 0 **Approved**

20150106**Z2015-06 [REZONING] KEVIN KNOX****Ord 7794**

Z2015-06 [REZONING] KEVIN KNOX requests rezoning for a portion of property located in Land Lot 11450, District 16, Parcel 0820, 2nd Section, Marietta, Cobb County, Georgia and being known as a portion of 380 Cherokee Street from R-3 (Single Family Residential - 3 units / acre) to R-4 (Single Family Residential - 4 units / acre). Ward 5.

City Attorney Doug Haynie opened the public hearing and swore in those wishing to speak.

Brian Binzer, Development Services Director, presented information regarding the rezoning request for property located at 380 Cherokee Street from R-3 (Single Family Residential - 3 units / acre) to R-4 (Single Family Residential - 4 units / acre).

The applicant, Mr. Kevin Knox, requested to rezone the recently purchased 2 foot strip of land needed to get his percentages in line for structure versus impervious surface and to get it zoned the same as his adjoining property.

Seeing no one else wishing to speak, the public hearing was closed.

A motion was made by Council member Coleman, seconded by council member Fleming, to approve the rezoning for property located at 380 Cherokee Street from R-3 (Single Family Residential - 3 units / acre) to R-4 (Single Family Residential - 4 units / acre). The motion carried by the following vote:

Vote: 6 – 0 – 0**Approved**

*

20150107**Z2015-07 [REZONING] JOHN WIELAND HOMES AND NEIGHBORHOODS**

Z2015-07 [REZONING] JOHN WIELAND HOMES AND NEIGHBORHOODS requests rezoning for property located in Land Lot 12320, District 16, Parcel 0760, 2nd Section, Marietta, Cobb County, Georgia and being known as 233 Waterman Street from PRD-MF (Planned Residential Development - Multi Family) to MXD (Mixed Use Development). Ward 1.

Motion to Table this matter until the May 13, 2015 regular City Council Meeting.

This Matter was Approved to Table on the Consent Agenda.

Vote: 6 – 0 – 0**Approved to Table**

20150108

Z2015-08 [REZONING] TITLEMAX OF GEORGIA, INC.**Ord 7793**

Z2015-08 [REZONING] TITLEMAX OF GEORGIA, INC. requests rezoning for property located in Land Lot 07990, District 17, Parcel 0040, 2nd Section, Marietta, Cobb County, Georgia and being known as 2390 Delk Road from OI (Office Institutional) to CRC (Community Retail Commercial). Ward 7.

City Attorney Doug Haynie opened the public hearing and swore in those wishing to speak.

Brian Binzer, Development Services Director, presented information regarding the rezoning request for property located at 2390 Delk Road from OI (Office Institutional) to CRC (Community Retail Commercial). Mr. Binzer mentioned that the applicant has agreed to stipulate that an extended stay hotel would be prohibited on this property.

Mr. Kevin Moore of Moore Ingram Johnson & Steele, LLP on behalf of the applicant TitleMax of Georgia, Inc., requested rezoning for the property for the purpose of relocating TitleMax to that property. Mr. Moore presented the plans for renovations and how the applicant plans to share space with the existing motel.

Seeing no one else wishing to speak, the public hearing was closed.

A motion was made by Council member Goldstein, seconded by council member Coleman, to approve the rezoning request for property located at 2390 Delk Road from OI (Office Institutional) to CRC (Community Retail Commercial), with the stipulation that extended stay hotel(s) shall not be allowed to operate on this property. The motion carried by the following vote:

Vote: 5 – 0 – 1**Approved**

Abstaining: Grif Chalfant

20150109

Z2015-09 [REZONING] HICKORY KENNESAW PARTNERS LLC**Ord 7792**

Z2015-09 [REZONING] HICKORY KENNESAW PARTNERS LLC requests rezoning for property located in Land Lot 05070, District 17, Parcels 0100, 2nd Section, Marietta, Cobb County, Georgia and being known as 2001 Polytechnic Lane from CRC (Community Retail Commercial) to CRC with an additional use for food production and storage. Ward 1.

City Attorney Doug Haynie opened the public hearing and swore in those wishing to speak.

Brian Binzer, Development Services Director, presented information regarding the rezoning request for property located at 2001 Polytechnic Lane from CRC (Community Retail Commercial) to CRC with an additional use for food production and storage.

The applicant and owner of the property, Melvin Stowers, requested rezoning for the property to allow a new tenant to use the building for food production.

Seeing no one else wishing to speak, the public hearings close.

A motion was made by Council member Stuart, seconded by Council member Morris, to approve the rezoning request for property located at 2001 Polytechnic Lane from CRC (Community Retail Commercial) to CRC with an additional use for food production and storage. The motion carried by the following vote:

Vote: 6 – 0 – 0

Approved

20141042

Revised Detailed Plan for Wynhaven - 560 Powder Springs Street

Motion to approve the revised detailed plan, including the site plan, landscape plans and architectural elevations, as well as a letter of stipulations dated March 6, 2015 from J. Kevin Moore, representing Black Orchid Realty, for the proposed development that will include single family homes and townhouses, as shown on the attached Detailed Plan for Wynhaven, signed by the owner and dated February 18, 2015, in accordance with Section 708.14(J.4) of the Marietta City Code.

The purpose of this revision is to approve the revised detailed plan, including architectural elevations, for single family homes and townhouses as shown on the attached plans - but to specifically exclude the area identified for a condo building.

Said plans are to be developed by Black Orchid Equity, in partnership with their builder, Kerley Family Homes. Architectural elevations are also included with this revised plan.

The townhouse units identified as lots 7, 8, 78-87 are only approved subject to the City Council abandoning the Gramling Street right of way and rezoning.

This approval shall include the following variances:

1. Variance to allow driveways to be 18' deep from back of sidewalk. However, driveways with no sidewalk will be at least 20' from back of curb.
2. Variance to eliminate the required 30' buffer against the adjacent R-2 properties.
3. Variance to reduce the required width of an access/utility easement for private streets from 50' to 40'.
4. Variance to allow single trunk Crape Myrtles and Little Gem Magnolias as street trees along Powder Springs Street.
5. Variance to exempt the townhome portion of the development from the Commercial Corridor Design Overlay - Tier B regulations.

City Attorney Doug Haynie called forward those wishing to speak.

Brian Binzer, Development Services Director, presented information regarding the revised detailed plan for Wynhaven located at 560 Powder Springs Street. Mr. Binzer mentioned that the applicant has worked with staff to address concerns previously raised by Council, such as turning radius for large trucks and required parking for the development.

Discussion was held regarding the proposed condominium building for the development. Attorney for the applicant Kevin Moore, stated that the development meets the parking requirement as presented. The plan for the proposed condominium building would be brought back for Council review.

A motion was made by Council member Walker, seconded by Council member Goldstein, that this matter be Approved. The motion carried by the following vote:

Vote: 6 – 0 – 0

Approved

20150124

Z2015-12 [REZONING] CITY OF MARIETTA

[Ord 7791](#)

Z2015-12 [REZONING] CITY OF MARIETTA request rezoning for property located in Land Lot 215, District 17, 2nd Section, Marietta, Cobb County, Georgia and being known as a portion of Gramling Street right-of-way from unzoned to PRD-MF [Planned Residential Development (Multi-Family)]. Ward 3A.

City Attorney Doug Haynie opened the public hearing and swore in those wishing to speak.

Brian Binzer, Development Services Director, presented information regarding the rezoning request for a portion of Gramling Street right-of-way from unzoned to PRD-MF [Planned Residential Development (Multi-Family)]. This request is related to the approval of the revised detailed plan for Wynhaven, 560 Powder Springs Street.

Seeing no one wishing to speak, the public hearing was closed.

A motion was made by Council member Chalfant, seconded by Council member Morris, to approve the rezoning request for a portion of Gramling Street right-of-way from unzoned to PRD-MF [Planned Residential Development (Multi-Family)]. that this matter be Approved. The motion carried by the following vote:

Vote: 6 – 0 – 0

Approved

*

20141336

Z2015-10 [REZONING] CITY OF MARIETTA

[Ord 7795](#)

Z2015-10 [REZONING] CITY OF MARIETTA requests rezoning for property located in Land Lot 07320, District 17, Parcels 0140 and 0050, 2nd Section, Marietta, Cobb County, Georgia and being known as 2171 and 2181 Windy Hill Rd from GC [General Commercial - County] and CF [Future Commercial - County] to CRC [Community Retail Commercial - City]. Ward 7.

Public Hearing held during the Consent Agenda.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0

Approved

* **20150110** **A2015-02 [ANNEXATION] CITY OF MARIETTA**

Ord 7796

A2015-02 [ANNEXATION] CITY OF MARIETTA requests annexation for property located in Land Lot 07320, District 17, Parcel 0050 & 0140 (2171 & 2181 Windy Hill Rd) and all required right-of-way, of the 2nd Section, Cobb County, Georgia consisting of 0.392 & 0.395 acres. Ward 7.

Public Hearing held during the Consent Agenda.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0

Approved

* **20150111 CA2015-02 [CODE AMENDMENT - ISLAND ANNEXATION] CITY OF MARIETTA**

Ord 7797

CA2015-02 [CODE AMENDMENT - ISLAND ANNEXATION] CITY OF MARIETTA in conjunction with the requested annexation proposes to designate the Future Land Use of property located in Land Lot 07320, District 17, Parcels 0140 (2181 Windy Hill Rd) and 0050 (2171 Windy Hill Rd) as CAC (Community Activity Center). Ward 7.

Public Hearing held during the Consent Agenda.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0

Approved

* 20141017 CA2014-14 [CODE AMENDMENT]

Ord 7800

CA2014-14 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Sections 728.04 and 728.07 regarding preliminary and final plat application procedures.

Public Hearing held during the Consent Agenda.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0

Approved

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:

1. Economic/Community Development: G. A. (Andy) Morris, Chairperson

2. Finance/Investment: Stuart Fleming, Chairperson

3. Judicial/Legislative: Philip M. Goldstein, Chairperson

* **20150131 Detailed Plan Revision for 875 Franklin Rd (The Crossing at Wood Station)**

Motion to approve the Revised Detailed Plan for 875 Franklin Road (The Crossing at Wood Station) to allow the conversion of an existing racquetball court to an enclosed gym for residents.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0

Approved

4. Parks, Recreation and Tourism: Michelle Cooper Kelly, Chairperson

5. Personnel/Insurance: Johnny Walker, Chairperson

* **20150125 Recommendation to Amend City Ordinance 4-4-6-030**

Ord 7790

Approval of an Ordinance amending Section 4-4-6-030 of the Code of Marietta, Recruitment and Selection to require that all candidates for employment are required to undergo a drug screening as a last step prior to being hired.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0

Approved

6. Public Safety Committee: Anthony Coleman, Chairperson

* **20150180 Intergovernmental Agreement - Acworth**

Motion to approve an Intergovernmental Agreement with Acworth to house Marietta Police Department inmates.

City Attorney Doug Haynie disclosed that he was also the city attorney for the City of Acworth.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0

Approved

7. Public Works Committee: Grif Chalfant, Chairperson*** 20150135 Approval of 2015 Transportation Grant Applications**

Motion to authorize submission of an application to the Atlanta Regional Commission (ARC) for federal funding for projects under the Surface Transportation Program - Urban for (STP-Urban) and Transportation Alternatives Program (TAP) for fiscal years 2016-2019. The three projects include Rottenwood Creek Multi-Use Trail - Alumni Drive to Franklin Road, North Marietta Parkway Streetscapes - Fairground Street to Cherokee Street, and Franklin Road Streetscapes - Savannah Oaks Drive to Kingston Court.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

*** 20150139 Dead End at West Oak Drive**

Motion authorizing Public Works to install barricades on the dead end portion of West Oak Drive north of West Oak Circle for an extended period until such time as any surrounding property owner request that the barricades be removed.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

*** 20150155 Summerhour Street Right of Way abandonment**

Request approval for the abandonment and exchange of a portion of unimproved Summerhour Street right of way.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

20150119 Closure and abandonment of a portion of Gramling Street

Motion authorizing the abandonment and exchange of a portion of Gramling Street Right of Way in exchange for a equal or greater square footage of newly dedicated right of way along Powder Springs Street as shown on the Detailed Plan for Wynhaven shown under agenda item #20141042, subject to easements being provided for any utilities existing within the portion of Gramling Street right of way to be abandoned. Final exchange of right of way is to be completed in conjunction with the approval of the Final Subdivision Plat for said property. The City Attorney and Director of Public Works are authorized to take any actions necessary to finalize the exchange of right of way.

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak regarding this matter.

Dan Conn, Public Works Director, presented information regarding the request for the abandonment and exchange of a portion of Gramling Street Right of Way.

Seeing no one else wishing to speak, the public hearing was closed.

A motion was made by Council member Goldstein, seconded by council member Walker, that this matter be Approved. The motion carried by the following vote:

Vote: 5 – 0 – 0 **Approved**
Absent for the vote: Anthony Coleman

* **20141329** **Flood Plain Management/Flood Damage Prevention Ordinance**

Approval of an Ordinance revising the Floodplain Management/Flood Damage Prevention Ordinance.

A public hearing was held at the February 11, 2015, City Council meeting.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**

OTHER BUSINESS:

20150195 Term Limits and Staggered Terms of Office

Motion approving term limits for the elected officials for the City of Marietta and staggered terms for members of the City Council for the City of Marietta with the direction that the city staff and the city attorney prepares all of the appropriate and necessary documents to have term limits and staggered terms for members of the City Council for the City of Marietta in accordance with the attached Charter Amendment amending Section 2.4 of the Charter of the City of Marietta with a commencement date effective January 1, 2018.

This motion is at the request of Councilman Stuart Fleming, Councilman Andy Morris, and Councilman Johnny Walker.

Council member Fleming presented the proposal regarding term limits and staggered terms of office for the council members. All council members would start with a clean slate for the 2018 term, with a limit of three (3) consecutive terms to follow. The staggered terms are being proposed to allow for continuity.

Discussion was held regarding the current proposal and the option of a referendum to allow citizen input.

An amendment to the motion was made by Council member Fleming, seconded by Council member Chalfant, to approve this matter, with the Mayor be eligible for three (3) consecutive terms and no prior service for any council member before 2018 being considered in years of service.

Further discussion was held regarding the idea of staggered terms. Council member Fleming explained that the staggered terms would mean no council member shall serve more than three (3) consecutive terms or twelve (12) consecutive years.

A substitute motion was made by Council member Walker, seconded by Council member Morris, that this matter be Tabled and Referred back to the Judicial Legislative Committee for further discussion. The motion carried by the following vote:

Vote: 5 – 1 – 0 **Referred to the Judicial/Legislative Committee**
Voting Against: Grif Chalfant

*** 20150185 BLW Actions of the March 9, 2015**

Review and approval of the March 9, 2015 actions and minutes of the Marietta Board of Lights and Water.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**

*** 20150196 YWCA of Marietta**

Review and approval of a request from the YWCA of Marietta to sign for a Grant for the DCA/ESG (Emergency Shelter Grant) Program.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**

*** 20150214 167 Hedges Street**

Motion authorizing acquisition of the right-of-way and easements at 167 Hedges Street from the Bozeman's for the purpose of constructing the Cemetery Street from SR 360 to CS 1387 W. Atlanta Avenue in exchange for \$755.40.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**

* **20150215 32 N. Fairground Street**

Motion authorizing the acceptance of the donation of the right-of-way and easements at 32 N. Fairground Street from Cobb County for the purpose of constructing the Fairground Street Improvements Project - Roswell Street to Rigby Street.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

* **20150216 10 Kirkpatrick Drive**

Motion accepting the offer of property acquisition in exchange for \$7,500.00 at parcel 5, 10 Kirkpatrick Drive from K Homes, LLC for the purpose of constructing the Whitlock Avenue Sidewalk and Streetscape Improvement Project.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

* **20150217 242 Whitlock Avenue**

Motion accepting the donation of a temporary easement with attached stipulations at Parcel 30, 242 Whitlock Avenue from Blake Long Settlemyer for the purpose of constructing the Whitlock Avenue Sidewalk and Streetscape Improvement Project.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

* **20150218 462 Whitlock Avenue**

Motion accepting the donation of a temporary driveway easement and property acquisition in exchange for \$2,433.00 at Parcel 16, 462 Whitlock Avenue from Ernest M. & Robbie W. Eberhardt Estates for the purpose of constructing the Whitlock Avenue Sidewalk and Streetscape Improvement Project.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

* **20150219 518 Whitlock Avenue**

Motion accepting the offer of property acquisition and temporary easement in exchange for \$4,378.00 at Parcel 12, 518 Whitlock Avenue from Pleasant Grove Missionary Baptist Church for the purpose of constructing the Whitlock Avenue Sidewalk and Streetscape Improvement Project.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0

Approved

UNSCHEDULED APPEARANCES:

ADJOURNMENT:

The meeting was adjourned at 10:04 p.m.

Date Approved: April 8, 2015

R. Steve Tumlin, Mayor

Attest: _____
Stephanie Guy, City Clerk